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Paducah Public Schools

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<http://www.paducah.k12.ky.us>

June 7, 2000

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

**In the matter of: Request for Review by Paducah Independent School
District of Decision of Universal Service Administrator**

Reference: FCC Docket Numbers 97-21 and 96-45

On May 11, 2000, the Paducah Independent School District received an **Administrator's Decision on Appeal – Funding Year 1999-2000** (copy attached) denying the district's appeal on Funding Request Number 256010.

The reason given for the denial of the appeal was:

"Your funding request included more than 30% of ineligible services/products, which resulted in the denial of the entire amount of the FRN under program rules. The request includes Voice mail and Phone sets, which are ineligible items under the universal services program rules. We are unable to remove the ineligible product from the funding request, since the April 6, 1999, deadline for amendments to the funding year two Form 471 has passed."

This reason was given even though our original appeal letter and supporting documentation (copy attached) clearly showed that we had never requested funding for Voice mail and Phone sets, items which we clearly understood as ineligible.

In an attempt to clarify this decision, I contacted the SLD and, on May 17, spoke to a Dave Gorbanoff. I explained the above situation to him and his response was that they had to base their decision on the information that had been originally provided to the SLD with the Form 471 and during the program review and could not use any additional information provided with the letter of appeal.

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This, even though the SLD's own procedures for appeal, posted on the SLD website, clearly state "Please keep your letter brief and to the point, and **provide documentation to support your appeal**" [my emphasis].

We are therefore requesting that the FCC overrule the SLD Administrator and approve our original appeal for the following reasons:

1. Paducah Independent School District never requested funding for ineligible products and services.
2. The SLD did not follow its own appeal procedures and refused to review the supporting documentation we had provided them.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Nelson", written in a cursive style.

Jeff Nelson
Technology Manager
Paducah Public Schools



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

SCHOOLS AND LIBRARIES DIVISION

Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Appeal - Funding Year 1999-2000

May 11, 2000

Jeff Nelson
Paducah Independent School District
800 Caldwell Street
Paducah, KY 42003

Re: Billed Entity Number: 128941
 Application Number: 150710
 Funding Request Number: 256010, 256034
 Your Correspondence Dated: September 16, 1999

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal seeking approval of additional discounts for the second program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the Application Number cited above. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number.

Funding Request Number: 256010
Decision on Appeal: Denied in full
Denial Reason(s):

- Your funding request included more than 30% of ineligible services/ products, which resulted in the denial of the entire amount of the FRN under program rules. The request includes Voice mail and Phone sets, which are ineligible items under the universal services program rules. We are unable to remove the ineligible product from the funding request, since the April 6, 1999 deadline for amendments to the funding year two Form 471 has passed.

Funding Request Number: 256034
Decision on Appeal: Denied in full
Denial Reason(s):

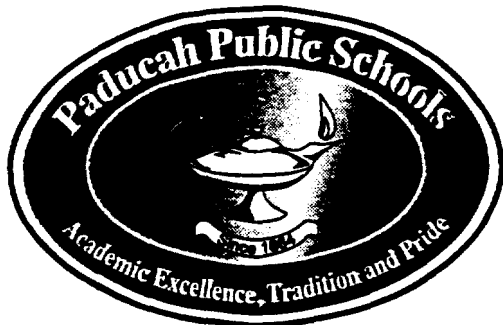
- Your funding request included more than 30% of ineligible services/ products, which resulted in the denial of the entire amount of the FRN under program rules. The request

includes Videotwist equipment, which are ineligible items under the universal services program rules. We are unable to remove the ineligible product from the funding request, since the April 6, 1999 deadline for amendments to the funding year two Form 471 has passed.

If you feel further examination of your application is in order; you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12TH Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the SLD Web Site at <www.sl.universalservice.org>. You must file your appeal with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

You should now move ahead, if you haven't already done so, with your Form 486 and related post-commitment arrangements for services for which funds have been committed and services have begun to flow. We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Paducah Public Schools
800 Caldwell Street
Post Office Box 2550
Paducah, KY 42002-2550

Telephone: 502-444-5600
FAX: 502-444-5607
<http://www.paducah.k12.ky.us>

September 16, 1999

Letter of Appeal
Schools and Libraries Corporation
Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

Regarding Applicant: Paducah Independent School District
Form 471 Application Number: 150710
Funding Year: 07/01/1999 - 06/30/2000
Billed Entity Number: 128941
Funding Request Number: 0000256010

Contact Information: Jeff Nelson, Technology Manager
Paducah Independent School District
800 Caldwell St.
Paducah, Kentucky 42003
Voice 270.444.5600, ext. 5637
Fax 270.444.5607
email jnelson@paducah.k12.ky.us

Basis of Appeal

A Funding Commitment Decisions Letter was received by this school district. The funding status of the above referenced Funding Request Number (0000256010) is Unfunded or Denied. The explanation for this status is that "30% or more of this FRN includes a request for voice mail and phone sets which are ineligible products based on program rules."

The attached spreadsheet, which details our contracted budget figures for this funding request, clearly shows that none of the funding request is for voice mail or phone sets. Our understanding of the program leads us to believe that funding is being requested only for products and services which are eligible for E-rate discounts.

I believe that this funding request was denied due to a misunderstanding on my part of the information requested by the reviewer, Ms. Judith Cook, on August 9, 1999. When requested, I faxed her a copy of the bid documents from BellSouth Communications Systems, Inc. for new telephone systems which included both eligible and ineligible components. Obviously, these bid documents did not include the maintenance contracts for telephone systems which were purchased by our school district during year 1 of E-rate program and for which funding is also being requested.

In summary, we request that this funding request be approved.

Sincerely,


Jeff Nelson

Technology Manager

BellSouth				
New Telephone Systems				
Location	Item	Unit Cost	Qty	Total Cost
Paducah Area Technology Center	Modular ICS	\$1,916.73	1	\$ 1,916.73
	ICS Software	\$1,056.24	1	\$ 1,056.24
	CLID	\$ 567.36	2	\$ 1,134.72
	Analog Module	\$ 926.64	1	\$ 926.64
	Fiber Expansion	\$ 933.12	1	\$ 933.12
Paducah/McCracken County Adult HS	Modular ICS	\$1,916.73	1	\$ 1,916.73
	ICS Software	\$1,056.24	1	\$ 1,056.24
	CLID	\$ 567.36	2	\$ 1,134.72
	Analog Module	\$ 926.64	1	\$ 926.64
	Fiber Expansion	\$ 933.12	1	\$ 933.12
Total			2	\$ 11,934.90
Maintenance Contracts on Existing Systems				
Location		Unit Cost	Qty	Total Cost
Central Office		\$2,140.57	1	\$ 2,140.57
Clark Elementary		\$2,353.84	1	\$ 2,353.84
Cooper-Whiteside Elementary		\$3,218.70	1	\$ 3,221.09
McNabb Elementary		\$2,087.73	1	\$ 2,087.73
Morgan Elementary		\$3,218.70	1	\$ 3,219.70
Paducah Middle School		\$5,616.30	1	\$ 5,616.30
Paducah Tilghman HS		\$8,943.86	1	\$ 8,943.86
Total			7	\$ 27,583.10
Total Telephone Key Systems				\$ 39,518.00